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MAR 30 2015

ATTORNEY GENERAL OF INDIANA  
CONSUMER PROTECTION



MATTHEW P. DENN  
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE  
NEW CASTLE COUNTY  
820 NORTH FRENCH STREET  
WILMINGTON, DELAWARE 19801

CIVIL DIVISION (302) 577-8400  
FAX (302) 577-6630  
CRIMINAL DIVISION (302) 577-8500  
FAX (302) 577-2496  
FRAUD DIVISION (302) 577-8600  
FAX (302) 577-6499

March 25, 2015

Office of the Indiana Attorney General  
Identity Theft Unit—Data Breach  
Indiana Government Center South-5th Floor  
302 West Washington Street  
Indianapolis, IN 46204

**Re: Notice Concerning Potential Disclosure of Personal Identifying Information**

To Whom It May Concern:

The Investor Protection Unit of the Delaware Department of Justice (the “IPU”) recently became aware of an inadvertent disclosure of personal information housed in the Central Registration Depository and Investment Adviser Registration Depository (collectively, the “Registration Systems”) maintained by the Financial Industry Regulatory Authority (“FINRA”). While we have reason to believe your agency already has been made aware of this issue, we write to inform you of the nature of the inadvertent disclosure, the steps the IPU has taken relating to the incident, and the number of residents in your state affected by the same.

Applicants for securities industry registration in Delaware file and submit information and disclosures that are housed in the Registration Systems. Between August 2012 and February 2015, pursuant to one or more Freedom of Information Act (“FOIA”) request(s), the IPU provided reports (the “Reports”) from the Registration Systems to journalists, academics, financial industry database/marketing contact firms, and other requesters. The Reports, which were generated by FINRA at Delaware’s request for use in responding to FOIA requests, provided information gathered from Forms U4 and U5 for all broker-dealer agents and investment adviser representatives registered in Delaware at the time the Reports were generated.

The Reports included one (or more) docket/case number(s) (the “Case Numbers”) the affected individuals supplied on a judgment, lien, or bankruptcy disclosure reporting page (“DRP”). We became aware that, for certain individuals, one or more of these Case Numbers reflected personal information such as a social security number, bank account number, or other personal identification number. Although affected individuals may have indicated on the pertinent DRP(s) that the Case Number(s) contained personal information, until recently the Registration Systems’ software did not suppress case numbers that may have included this indication. The IPU requested for the Reports to exclude social security numbers and other personal information, and the Reports did exclude or mask social security numbers and other

personal information entered in fields specifically soliciting that information. The IPU was unaware that personal information remained embedded in the case/docket field.

In light of the potential for inadvertent disclosure of personal information for some registrants, the Reports are being remediated and have been made temporarily unavailable. The IPU and other agencies are currently working with the Registration Systems administrator, FINRA, to revamp the Reports and otherwise review the content of the registration forms in an effort to prevent further inadvertent public disclosure of personal information.

The IPU takes very seriously the privacy and security of applicants for securities registration. We began investigating this incident as soon as we learned of it, and we are continuing to work aggressively to resolve it. We already have instructed the recipients of the Reports to return and/or destroy any inadvertently disclosed private information, to take additional appropriate steps to ensure the security of the information, and to confirm their compliance with these directives.

**3 residents of Indiana have been affected by the inadvertent disclosure.** On or about March 23, 2015, the IPU sent letters notifying these individuals of nature of the inadvertent disclosure and the steps taken by the IPU in response. The letter, an example of which is enclosed, advises recipients to be vigilant with their financial accounts and provides contact information for the major credit reporting agencies, the Federal Trade Commission, and the Office of the Attorney General in your state.

If you have any additional questions or concerns about the circumstances of this disclosure and the IPU's response, you may contact Jeff Drobish, Deputy Attorney General, at 302-577-8424, or [jeff.drobish@state.de.us](mailto:jeff.drobish@state.de.us).



Owen Lefkon  
Investor Protection Director

Enclosure